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**Notice of Allowability**

Application No.

09/776,328

Examiner

Lawrence Shrader

Applicant(s)

FOSTER ET AL.

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 6/10/2005.
2. ☒ The allowed claim(s) is/are 3 - 10, 14, 16 - 19, 23, 25 - 32, 38 - 44, 46, 48 - 50, 52, 54, 56 - 59, and 63 - 65.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>8/31/2005</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                          |
|   | 9. <input type="checkbox"/> Other _____   |

### DETAILED ACTION

1. This office action is in response to the amendment filed by the Applicant on 6/10/2005.
2. Claims 1, 2, 11 – 13, 15, 20 – 22, 24, 36, 37, 45, 47, 51, 53, 55, and 60 – 62 have been cancelled at the request of the Applicant in the current amendment. Claims 33 – 35 are cancelled in the examiner's amendment of this office action; and claims 3 – 10, 14, 16 – 19, 23, 25 – 32, 38 – 44, 46, 48 – 50, 52, 54, 56 – 59, and 63 – 65 are allowed.

### *Allowable Subject Matter*

3. Prior art of record, taken either singly and/or in combination, does not teach or disclose a program storage device as recited in claim 14; a method as recited in claims 23, 31, 38; and a verification tool as recited in claim 44 with the following feature:

Providing a framework for identifying test modules defining a test, when executed compares the data entry from a file list with information about an associated installed software component of a software package; and a control module to access the framework, which causes the test modules to compare selected data entries from the file list with associated information about installed software components of the software package to verify the correctness of the installation of the components.

The closest prior art is Logan, U.S. Patent 6,601,018, which discloses a framework generating a test skeleton that tests software components, but does not disclose comparing data entries in a file list in order to verify correct installation of the software components, or a control

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module to access the framework causing the test modules to compare the information about the software components.

Thus all remaining dependent claims 3 – 10, 16 – 19, 25 – 30, 32, 39 – 43, 46, 48 – 50, 52, 54, 56 – 59, and 63 – 65 are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Examiner's Amendment***

4. An examiner's amendment to the record appears below. Should the change and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Francis Kalinski II, Reg. No. 44,177 on 31 August 2005. The application has been amended as follows:

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Delete claims 33 – 35.

In **claim 38** change the following:

From:

“a) providing a computer having installed thereon a [SOLARIS© compliant] software package...”

To:

“a) providing a computer having installed thereon a software package...”

In **claim 42** change the following:

From:

“confirming that package map and package information files for the software package exist in [a SOLARIS©] environment.”

To:

“confirming that package map and package information files for the software package exist in the computer environment.”

In **claim 46** change the following:

From:

“The tool of claim 44, [wherein the software package is a SOLARIS© compliant software package; and]

wherein the file list that identifies the plurality of software components in the software package comprises a [Solaris] pkmap file.”

To:

“The tool of claim 44, wherein the file list that identifies the plurality of software components in the software package comprises a pkmap file.”

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In **claim 57** third line change the following:

“...software component of the software package further comprises comparing the parameter information in the file list includes [the] compiler version...”

“...software component of the software package further comprises comparing the parameter information in the file list includes compiler version...”

### *Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Shrader whose telephone number is (703) 305-8046. The examiner can normally be reached on M-F 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lawrence Shrader  
Examiner  
Art Unit 2193

August 31, 2005

  
ANIL KHATRI  
PRIMARY EXAMINER